

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0741-01  
Bill No.: HB 148  
Subject: Crimes and Punishment: Motor Carriers  
Type: Original  
Date: December 29, 2000

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**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of State Courts Administrator** and the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of the State Public Defender (SPD)** assume that existing staff could provide representation for those 20-40 more difficult cases arising where indigent persons were accused of assaulting mass transit workers or passengers waiting to board a bus or light rail system. These cases become difficult as removing suspended imposition of sentence of fines in lieu of imprisonment would cause fewer persons to plea. However, passage of more than one similar proposal could require the SPD to request increased appropriations to cover the cumulative cost of representing the indigent accused.

In response to an identical bill from the 2000 session (HB 1152), officials from the **Department of Corrections (DOC)** stated that they could not predict the number of new commitments which could result from the creation of the offenses outlined in this proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the courts. If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (average \$35.00 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average \$3.50 per offender, per day). Supervision by the DOC through probation or incarceration would result in some additional costs, but DOC officials assume that the impact would be minimal.

The need for additional capital improvements or rental space is not anticipated at this time. It should be noted that the cumulative effect of various new legislation, if adopted, could result in the need for additional capital improvements funding if the total number of new offenders exceeds current planned capacity.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation would make a person convicted of an assault ineligible to receive a suspended imposition or execution of sentence, probation, or a fine in lieu of a term of imprisonment if the assault was on a mass transit worker or passenger while on or waiting to board a bus or light rail system.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. The proposal would not affect Total State Revenue.

SOURCES OF INFORMATION

Office of State Courts Administrator  
Office of Prosecution Services  
Office of the State Public Defender  
Department of Corrections



Jeanne Jarrett, CPA  
Director  
December 29, 2000